

UNITED STATES BANKRUPTCY COURT  
FOR THE DISTRICT OF NEW JERSEY

Christopher W. Hyde (8668)  
Attorney-at-Law  
One Overlook Road  
Newton, NJ 07860  
(862) 324-0028  
Attorney for Deborah E. Kelly

---

In Re:	:	
	:	Case number 14-16190
KEVIN D. KELLY,	:	Hearing Date: June 9, 2014
Debtor	:	JUDGE DONALD STECKROTH (TBA)
	:	Chapter 7

---

THIS MATTER, being opened to the United States Bankruptcy Court for the District of New Jersey on the 9<sup>th</sup> Day of June, 2014, upon the motion of Christopher W. Hyde, Esq., attorney for DEBORAH E. KELLY, upon notice to Stephen McNally, Esq., attorney for Debtor, and to Jay Lubetkin, Esq., Trustee, for an Order, pursuant to Bankruptcy Code Section 326(a) for Relief from Stay, and to ratify and confirm the Power of Attorney granted to Deborah E. Kelly to effectuate the short sale of the property at 61 Carriage Lane, Newton, NJ, for an authorization to Deborah E. Kelly to effectuate such a sale, and for counsel fees and costs,

AND THE COURT, having read and considered the moving papers and any opposition and objections thereto, and for good cause shown,

IT IS, on this \_\_\_\_\_ day of June, 2014,

ORDERED that the motion for Relief from the Automatic Stay provisions of the United States Bankruptcy Code be and the same is hereby GRANTED; and it is

FURTHER ORDERED that the automatic stay is vacated to permit the movant to institute or resume and prosecute to conclusion one or more actions in the court(s) and/or arbitration tribunal(s) of appropriate jurisdiction to pursue movant's rights in the following:

A certain arbitration proceeding, presently before the Hon. Michael K. Diamond, (ret.) concerning the matrimonial action between Kevin D. Kelly and Deborah E. Kelly as transferred from the Superior Court of New Jersey by virtue of a certain Consent Order of March, 2013; and it is

FURTHER ORDERED that the Power of Attorney granted to movant, Deborah E. Kelly, be and the same is hereby Ratified and Confirmed by this Court, and this Order shall serve as formal notice to all parties in interest, in and to certain real property commonly known as 61 Carriage Lane, Newton, New Jersey 07860, of the authority of Deborah E. Kelly to act, in all respects, as the Attorney-in-Fact for Debtor Kevin D. Kelly to execute all documents in connection with the sale of said real property, to include Deed, Affidavit of Title, Settlement and Closing Statements, Survey Affidavits, and to execute on behalf of Kevin D. Kelly any and all documents required by the mortgagee holding a mortgage interest to said

property, to effectuate a “short sale” of the property, with the same authority and with the same force as if the same were executed by Debtor Kevin D. Kelly; and it is

FURTHER ORDERED that Deborah E. Kelly shall be fully empowered to transfer title to said real property known as 61 Carriage Lane, Newton, New Jersey, 07860; and it is

FURTHER ORDERED that Deborah E. Kelly shall be awarded counsel fees and costs on this motion upon her attorney submitting the appropriate Certification of Services, and it is

FURTHER ORDERED that Debtor is directed to cooperate in all respects with Deborah E. Kelly to effectuate such sale of real property; and it is

FURTHER ORDERED that Deborah E. Kelly shall provide notice to Debtor within 45 days of the date of the expected closing of title of the said real property, which notice shall be deemed fully adequate to permit Debtor to timely vacate the premises; and it is

FURTHER ORDERED that Debtor shall, on or before the date fixed by the aforementioned Notice of the expected closing of title, orderly remove any and all possessions of Debtor which remain therein and shall leave the premises in a broom clean condition without further waste, and it is

FURTHER ORDERED that movant shall serve this Order upon Debtor, Debtor’s counsel, the Trustee, and any other party who may have joined in this motion.

IT IS SO ORDERED.

---